

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE; and
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiffs,

v.

Civil Action No. 1:20-cv-11283-ADB

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; U.S.
IMMIGRATION AND CUSTOMS
ENFORCEMENT; CHAD F. WOLF, in his
official capacity as Acting Secretary of the
United States Department of Homeland
Security; and MATTHEW ALBENCE, in his
official capacity as Acting Director of U.S.
Immigration and Customs Enforcement,

Defendants.

DECLARATION OF STUDENT #5

I, Student #5, hereby state under the penalty of perjury that the following statements are true and accurate to the best of my knowledge:

1. I am a graduate student at the Massachusetts Institute of Technology. I am not revealing my name or certain facts that may reveal my identity due to fears that, based on my participation in this litigation or information disclosed in this declaration, I could face retaliation from immigration authorities or harm in my home country or elsewhere.

2. I am a Brazilian citizen and have lived in the United States for the past three years while I have studied at MIT. I am studying in the United States on an F-1 visa.

3. I only have one course left to take for my Ph.D., which I plan to take in the spring 2021 semester. This fall, I plan to focus on research related to my dissertation. Much of the work in my department involves regular meetings with faculty. My understanding is that due to the COVID-19 pandemic, these regular meetings will likely be conducted online.

4. If the COVID-19 and Fall 2020 directive issued by United States Immigration and Customs Enforcement on July 6, 2020 takes effect, I may be forced to return to Brazil. I am from a city in a mountainous region in Brazil and I am concerned that it will be very difficult to continue my studies remotely from my hometown. The internet connection is not strong enough to hold long video conferences, making it difficult to collaborate with faculty members and others. It will also be difficult, if not impossible, to access certain research materials.

5. Further, I am concerned about interacting with my family after taking a long international flight during the pandemic. Some of my family members have a history of respiratory and heart diseases and they are thus at increased risk of facing severe health consequences if they contract COVID-19.

6. If I am forced to leave the United States, I will also suffer a large financial loss because I have already signed a lease for a new apartment in Cambridge that begins in September. I have already paid the first and the last months of rent. The total cost of my rent for the academic year totals \$14,100, all of which I will likely have to forfeit if I am not allowed to stay in the United States.

7. If I am not allowed to stay in the United States while I continue my studies, I will also be separated from my partner, and I do not know when we will be able to see each other again given the public health risks of travel and our financial constraints.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, July 13, 2020

/s/ Student #5
Student #5